

REMARKS

Applicants thank the Examiner for conducting the telephone interview on December 1, 2004 in which the 112 rejections were discussed. Based on that interview, applicants provide the following remarks.

Claim 1-27 stand rejected under 35 U.S.C. 112, first paragraph. The Office Action focuses primarily on independent claim 1. Applicants accordingly also focus on claim 1.

Initially, the Office Action states that the step of “generating a list of displayable program indicators” is not enabled because “the process of excluding restricted programs from the preferred and recommended categories is not considered in the specification. Applicants respectfully direct the Examiner to paragraphs 25, 26, and 27 of the specification. These paragraphs describe one method for excluding restricted programs. More particularly, these paragraphs describe one method for generating a list of displayable program indicators as recited in claim 1.

Next, the Office Action states that the limitation “wherein the displayed program indicators are arranged according to the retrieved category preferences” is not enabled. Applicants respectfully refer the Examiner to paragraphs 21 and 22 of the specification and Figure 4. The limitation is enabled by this material.

Claims 1-27 are also rejected under 35 U.S.C. 112 second paragraph. Based on the interview, Applicants provide the following remarks.

Preferred program indicators and recommended program indicators are different. This difference is set forth in the specification in, for example, paragraphs 9, 25, 26, and

27. Applicants submit that these paragraphs resolve all of the 112, second paragraph rejections.

Claims 1, 2, 5-8, and 10-27 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,781,246 (Alten). According to the Office Action, the Examiner assumed that there is no difference between Applicants' claimed preferred program indicators and recommended program indicators. As explained above and in paragraphs 25, 25, and 27 of the Office Action, preferred program indicators and recommended program indicators are different types of indicators and cannot be assumed to be the same. And with this difference in mind, Alten does not teach a "list of recommended program indicators" as recited in Applicants' claims.

Among other limitations, claim 1 recites "retrieving a list of recommended program indicators." The Office Action points to Alten favorite channel 71 in Figure 7 as the corresponding element. Alten's favorite channel button links to a list of favorite television channels and not programs. Alten Figure 8, for example, shows a favorite channel screen. Notice that only favorite channels are listed. Programs are not listed. Applicants claim 1 requires retrieving a list of recommended program indicators and not a list of favorite channels. Thus, claim 1 is distinguishable over Alten.

Claim 1 also recites "generating a list of displayable program indicators, wherein the list of displayable program indicators includes program indicators in the list of recommended program indicators." Alten does not teach or disclose this limitation. For example, Alten's favorite channel 71, as referred to in the Office Action, cannot be used to generate a list of displayable program indicators as claimed.

As for claims 2-4, they depend from claim 1. These claims are allowable because claim 1 is allowable. As for independent claims 5 and 19, the Office Action states that these claims were rejected for the same reasons as claim 1. Applicants submit that in light of the above remarks, these claims are in condition for allowance based on the comments above. Similarly, applicants submit that the claims dependent on claims 5 or 19 are allowable.

CONCLUSION

In view of the foregoing, Applicants respectfully submit that no further impediments exist to the allowance of this application and, therefore, solicit an indication of allowability. However, the Examiner is requested to call the undersigned if any question or comments arise.

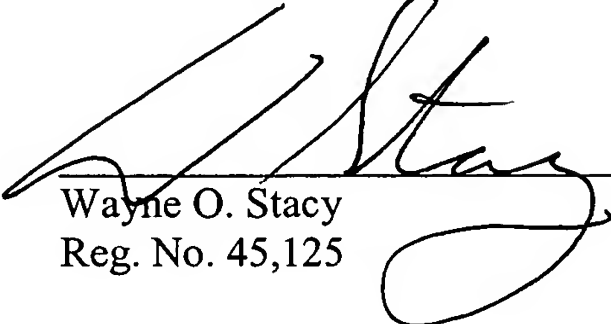
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

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